

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr. No.104+207

**CRM-7709-2023 in/and
CRM-M-51002-2022
Date of Decision : March 01, 2023**

Jagdeep Singh @ Jaggu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Karandeep Singh Sidhu, Advocate, for the petitioner.
Mr. Harkanwarjit Singh, AAG, Punjab.

SUDHIR MITTAL, J. (ORAL)

CRM-7709-2023

Allowed as prayed for.

Annexures P-11 to P-14 are taken on record.

Main Case

This petition has been filed for grant of regular bail in FIR No.135, dated 13.05.2021, registered at Police Station Kamboj, District Amritsar, under Sections 302, 201 IPC and Section 25 of Arms Act, 1959 (Section 120-B added later on vide GD No.13, dated 11.08.2021).

Learned counsel for the petitioner submits that the only allegation against the petitioner in the present case is that his countrymade pistol was allegedly used in the crime. The petitioner has already undergone actual custody in excess of one year and six months and the trial is not likely to be concluded at an early date as 04 Pws have been examined out of a total of 31 Pws. There are two other criminal cases pending against the petitioner, one of which is FIR No.73, dated 25.03.2021, registered at Police Station Kamboj, under Sections 307, 323, 324, 148 & 149 IPC and Section 25 of Arms Act, 1959. In this case, the petitioner was nominated as

an accused much later and was not named in the initial FIR. In the other case viz. FIR No.13, dated 15.02.2020, registered at Police Station Verka, under Sections 457, 380, 511 & 336 IPC, also the petitioner was not named initially and was subsequently nominated as an accused. Even the witnesses who have been examined have not supported the case of the prosecution. Keeping in view of these facts, the petitioner may be granted regular bail.

Custody certificate dated 28.02.2023 checked by Sh. Surinder Singh, Jail Superintendent, Central Jail, Amritsar has been filed in Court. The same is taken on record. A perusal thereof shows that the petitioner has undergone actual custody of 01 year, 07 months and 03 days and there are two other criminal cases pending against him as referred to hereinabove.

Learned State counsel concedes that only 04 Pws have been examined as on date out of a total of 31 Pws. He also concedes that the petitioner was not named initially in the pending FIRs. Regarding the witnesses having turned hostile, learned State counsel submits that the same is a matter of record.

From the above, it is evident that the trial is not likely to be concluded at an early date. The material witnesses have not supported the case of the prosecution and that false implication cannot be ruled out. Thus, I deem it appropriate to grant the regular bail to the petitioner. Accordingly, the petition is allowed. He is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

March 01, 2023*Ankur*

Whether speaking/reasoned

Whether Reportable

**(SUDHIR MITTAL)
JUDGE**

Yes

No